

REMARKS/ARGUMENTS

In the Office Action dated March 27, 2007, pending Claims 1–12 were rejected. Claim 13 was canceled previously. The Office Action rejected Claims 1–7 and 9–12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,600,930 to Sakurai et al. (“Sakurai”) in view of U.S. Patent No. 5,864,765 to Barvesten (“Barvesten”). Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakurai in view of Barvesten and further in view of U.S. Patent No. 6,519,475 to Kim (“Kim”). Applicant has amended Claim 1. As explained below, Applicant respectfully submits that the amended set of claims is patentably distinct from the cited references, taken either alone or in combination. As such, Applicant respectfully requests reconsideration and allowance of all of the pending claims of the present application.

Independent Claim 1 recites a portable radio communications device including a body, a cover, a display, and keys accessible when the cover is in a closed position, where one of the keys is multifunctional and in a position remote from other keys. The function of the multifunctional key of Claim 1 is dependent upon the state of the device, and for at least one state of the device operation of the multifunctional key controls the provision of information on the display. The multifunctional key, located on the cover, is arranged to be active when the cover is in the closed position and inactive when the cover is in the open position.

The Sakurai patent discloses a terminal **1** having a display **105** and a cover **101** with an LCD window **104** through which part of the display **105** may be seen when the cover **101** is in the closed position. *See* Sakurai, Figs. 4A and 4B; Col. 17, lines 23–58. The terminal **1** is operable in two modes depending on whether the cover **101** is closed or open. When the cover **101** is closed (as shown in Fig. 4A) the terminal **1** operates in a telephone mode, and when the cover **101** is open (as shown in Fig. 4B) the terminal **1** operates in a data communication mode. Col. 17, lines 25–29. Ten keys **102** for dialing are provided outside the cover **101**. Col. 17, lines 38–39.

As admitted in the Office Action, Sakurai does not disclose that one of the keys is a multifunctional key, nor does it disclose a multifunctional key that is in a position remote from

the other keys. Rather, the ten keys **102** provided outside the cover **101** are for a single function (dialing) and are arranged in a conventional keypad configuration shown in Fig. 4A.

The Barvesten patent discloses a mobile telephone **2** with a display **4** and a keypad **6** that includes a Right-key **8**, Left-key **10**, Yes-key **12**, No-key **14**, and alphanumeric keys **16**. *See* Barvesten, Fig. 1A; Col. 4, lines 20–27. The mobile telephone **2** includes an inactivation function based on the passage of time between key depressions. Col. 4, lines 57–67; Col. 5, lines 1–21. The Yes-key **12** and the No-key **14** are described as having several functions depending on the situation in which they are pressed. Col. 4, lines 33–35.

Barvesten does not disclose a multifunctional key that is remote from all other keys, as required by amended Claim 1. Barvesten describes the Yes-key **12** and the No-key **14** as part of the keypad **6**. Col. 4, lines 24–27. Directly adjacent to the Yes-key **12** and the No-key **14** in Fig. 1A of Barvesten are the Right-key **8**, the Left-key **10**, and the Clear-key (“CLR”), and directly below those keys are the alphanumeric keys **16**. In fact, the configuration shown in Fig. 1A of Barvesten is almost identical to the configuration shown in Fig. 4A of Sakurai, which the Official Action admitted does not disclose a key in a position remote from the other keys. *See* Office Action, page 3.

In contrast, Applicant’s multifunctional key **36** is not a part of or located near a keypad. Rather, as shown in Fig. 1a and described on page 4, lines 29–32 of the present application, the multifunctional key **36** (or easily accessible button, as it is referred to in the specification) is located on the exterior surface **32** of the cover portion **6**. No other buttons are located adjacent to or in the vicinity of the multifunctional key **36**. In order to clarify this aspect of the multifunctional key **36**, Claim 1 has been amended to recite the multifunctional key being “in a position remote from all other keys.”

Neither Sakurai nor Barvesten teaches or suggests a multifunctional key located on the cover of a portable radio communications device and in a position remote from all other keys. Thus, the combination of Sakurai and Barvesten cannot teach or suggest Claim 1.

Appl. No.: 10/089,992
Filed: July 10, 2002
Amdt. dated 07/27/2007

CONCLUSION

In view of the remarks and amendments presented above, it is respectfully submitted that Claim 1 and all the claims depending therefrom (*i.e.*, Claims 2–12) are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

The patentability of the independent claims has been argued as set forth above and thus Applicant will not take this opportunity to argue the merits of the rejection with regard to the dependent claims. However, Applicant does not concede that the dependent claims are not independently patentable and reserves the right to argue the patentability of the dependent claims at a later date if necessary.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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Date: July 27, 2007

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PATENT & TRADEMARK OFFICE ON July 27, 2007.**

LEGAL02/30396700v1